

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DAVID VOBORA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:10CV810 RWS
)	
S.W.A.T.S., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER


This matter is before the Court on plaintiff's supplemental materials in support of the evidentiary hearing set for December 7, 2010. In his brief, plaintiff argues that I should delay my determination of whether this Court has personal jurisdiction over defendants pending the United States Supreme Court's determination of jurisdictional issues with respect to foreign defendants. I will not delay my ruling on defendants' motion to dismiss based on these cases. In the last sentence of his brief, plaintiff also requests that I transfer this case to the United States District of Florida, Southern Division, rather than dismiss it. Yet plaintiff's brief contains no facts or argument in support of this request. In this Court, lawyers are required to support their requests for relief with relevant legal authority and facts. If plaintiff expects the Court to actually consider this request, then he must file a brief containing the necessary evidentiary support and legal arguments to support a transfer by no later than December 1, 2010, or the request will be deemed waived. If plaintiff files such a brief, defendants may file their opposition by no later than December 6, 2010. Finally, the parties shall notify the Court by written memorandum no later than 10:00 a.m. on November 30, 2010, if they are requesting the Court to go forward with

the evidentiary hearing, or if they are asking the Court to decide the pending motion based on the written record.

Accordingly,

IT IS HEREBY ORDERED that any motion to transfer shall be filed by plaintiff no later than December 1, 2010, or the request will be deemed waived. Defendants shall file any opposition by December 6, 2010. No reply brief will be permitted absent the showing of good cause.

IT IS FURTHER ORDERED that the parties shall notify the Court by written memorandum no later than 10:00 a.m. on November 30, 2010, if they are requesting the Court to go forward with the evidentiary hearing set for December 7, 2010, or if they are asking the Court to decide the pending motion based on the written record.

A handwritten signature in black ink, appearing to read "Rodney W. Sippel", is written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 29th day of November, 2010.